

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA
Plaintiff

v.

Criminal No. 09-203 (ADC)

RAMON A. VARGAS-NUÑEZ,
Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is an unopposed Report and Recommendation issued by Magistrate-Judge Bruce J. McGiverin on June 10, 2009. (**Docket No. 19**). In said Report and Recommendation the Magistrate-Judge recommends that: defendant **Ramón A. Vargas-Nuñez** be adjudged guilty of the offenses charged in Count One of the Information (T.8, U.S.C. 1326(a)(2) and (b)(1)¹ inasmuch as, his plea of guilty was intelligently, knowingly and voluntarily entered.

Neither party has filed objections to the Magistrate-Judge's Report and Recommendation within the time frame provided by the Federal Rules of Criminal Procedure and this Court's Local Rules. See Fed. R. Crim. P. 11; 28 U.S.C. § 636(b)(1)(B); D.P.R. Local Crim. R. 147(b).

¹ The Magistrate-Judge's Report and Recommendation appears to contain a typographical error to the extent that reference is made to 8, U.S.C. § 1326(b). (See **Docket No. 19**, page 1, second paragraph).

After reviewing the record, the Court agrees with the arguments, factual and legal conclusions within the Report and Recommendation. Therefore, the Court hereby **APPROVES** and **ADOPTS** the Magistrate-Judge's Report and Recommendation in its entirety.

Accordingly, a judgment of conviction is to be entered as to Count One of the Information in the above-captioned case.

The sentencing hearing is set for September 14, 2009 at 2:00 p.m.

IT IS SO ORDERED.

At San Juan, Puerto Rico, this 3rd day of August, 2009.

S/AIDA M. DELGADO-COLON
United States District Judge